



For Immediate Release
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House Members Urge Senators to Repudiate Religious Tests For Judges

Outside Groups Attempting to Create a Religious Test in Order to Defeat the Nomination of Judge Pickering

WASHINGTON, D.C. – Over three dozen Members of the House of Representatives today sent a letter to Members of the Senate Judiciary Committee asking them to repudiate attempts by groups such as the People for the American Way to establish a de-facto religious test preventing persons of faith from serving as federal judges.

Rep. Walter Jones (R-NC), stated, “In their campaign against the nomination of Judge Charles Pickering to the Court of Appeals, a number of outside interest groups have asserted that Judge Pickering is unfit because he ‘promotes religion from the bench.’ A close examination of these allegations and Judge Pickering’s record clearly indicate that what opponents of his nomination are really objecting to is the fact Judge Pickering is personally a man of religious faith.”

Rep. Joe Pitts (R-PA) added, “The failure of the Senate Democrats to repudiate the charge that Judge Pickering is unfit for the Judiciary because of his religious faith sends a very clear message: ‘So long as Democrats control the Senate, religious people will be prohibited from serving as judges.’”

The text of the letter sent to Senate Judiciary Committee Members is reset on the next page:

March 13, 2002

Members of the Senate Judiciary Committee

Dear Senators:

We write to express our grave concern regarding the attempts by some organizations to have the Senate impose what amounts to a religious test on judicial nominees. As you are aware, Article VI of the Constitution specifically forbids the imposition of a religious test.

Groups such as People for the American Way have been leading a campaign in opposition to the nomination of Judge Charles Pickering to the U.S. Court of Appeals for the 5th Circuit. Opponents of Judge Pickering have argued that he is unfit because he “promotes religion from the bench.” In support of this charge opponents cite a speech Judge Pickering delivered in 1984 when he was President of the Mississippi Baptist Convention and comments made by Judge Pickering from the bench referencing biblical principles and other religious literature.

Judge Pickering has made clear that he will follow the law and not his particular religious beliefs in the exercise of his judicial duties. Indeed, his record over the past decade as a District Judge clearly indicates that he practiced in the best traditions of the U.S. judicial system, even when making reference to religious literature. Indeed, Chief Justice Earl Warren, Justice Thurgood Marshall, and Justice William Brennan have all made explicit references to the Bible or biblical principles when delivering the opinion of the Supreme Court in cases covering such disparate issues as the Fifth Amendment right against self-incrimination, and the forfeiture and seizure of vessels used for unlawful purposes.

Many of those opposing Judge Pickering’s nomination are in effect arguing that a religious person is unqualified to serve in the federal judiciary because he cannot be trusted to separate his personal religious beliefs from his official duties. This is nothing more than a religious test barring any person of faith from holding a judicial office.

We request that you join us in publicly repudiating those who argue that people of faith are unsuited for the federal judiciary. Such arguments run counter to our Constitution and the best practices of the American judiciary.

Sincerely,

Walter Jones	Joe Pitts	John Sullivan	Jo Ann Davis
Henry Hyde	Virgil Goode	Todd Tiahrt	Bob Barr
Frank Wolf	Dave Weldon	John Doolittle	Joe Barton
J.C. Watts	Chris Cox	Melissa Hart	Chris Cannon
Ernie Fletcher	Steve Chabot	Jim DeMint	Roscoe Bartlett
Ed Whitfield	John Shadegg	Bob Schaffer	John Linder
John Hostettler	Pete Hoekstra	Robert Aderholt	Lee Terry
John Cooksey	Jeff Flake	Todd Akin	John Shimkus
Henry Brown	Sue Myrick	Kevin Brady	Tom Tancredo
Charles Taylor	Mike Pence	David Vitter	